

MINUTES

The Tennessee State Board of Cosmetology held a meeting on June 2, 2008 at 9:00 a.m. CDT, in Nashville, Tennessee.

The following members were present: H. D. Adcock, Chairman, Linda Colley, Vice Chairman, June Huckleby, Muriel Smith, Nina Coppinger and Pearl Eva Walker. Lee Bowles, Janet Wormsley and Judy Golden were not present.

Other present were: Beverly Waller, Executive Director, Kathryn Wiseman, Staff Attorney and Debbie Gean, Administrative Assistant I.

Chairman H. D. Adcock welcomed everyone to the board meeting.

Chairman H. D. Adcock called for roll call.

MINUTES

MOTION was made by Ms. June Huckleby and seconded by Ms. Muriel Smith to accept the minutes from the May 5, 2008 board meeting. Motion carried unanimously.

APPEAR BEFORE THE BOARD

Suzanne Dailey, PSI Representative – Present. Ms. Dailey is present today to introduce herself to the Board Members and go over a few things concerning the examinations. Ms. Dailey discussed issues concerning the dress code on the practical examination. Ms. Dailey and the board members discussed what is acceptable and what is not. The board stated that whatever the dress code is for the school, the student should wear that to the exam. Students who are not attending school will not have a school uniform. PSI providing smocks was discussed, but that would be an additional expense.

MOTION was made by Ms. Linda Colley and seconded by Ms. Nina Coppinger to not allow anyone to test with anything above the knee, no open toe shoes, no tank tops and the stomach must be covered. Motion carried unanimously.

Carla Simpson, Representative - Regency Beauty Institute - Present. Ms. Simpson is here today at the request of the Board. An application for a new cosmetology school "Regency Beauty Institute" was presented to the board at the May board meeting. There was an issue with the required twenty (20) applications for enrollment because we had twenty (20) applications but two (2) copies of one (1) application. We have since received one (1) additional application by email but it was signed and dated by the applicant May 14, 2008. Also the board has concerns about the request for the waiver of the rules to be closed to the public for ninety days.

Ms. Simpson now has the required twenty (20) applicants. The board discussed the request for waiver of rule 0440-1-.01. It states that a new school shall be closed for

ninety (90) days after the issuance of its license unless the school has students enrolled with the required two hundred (200) or more hours to perform cosmetology services on the public. The board discussed that the law is okay but the rule is confusing. Ms. Kathryn Wiseman, Staff Attorney stated that she recommends that it be deleted from the rules.

MOTION was made by Ms. Linda Colley and seconded by Ms. Pearl Walker to accept the ninety (90) days, and when students complete two hundred (200) hours they can go to work on the clinical floor. Motion failed.

The board members voted with June Huckleby, Muriel Smith, Nina Coppinger stating no. Ms. Linda Colley stated the board was going against what they have done in the past that a school was allowed to do this last year.

MOTION was made by Ms. June Huckleby and seconded by Ms. Nina Coppinger to have Ms. Linda Colley, Board Member and Ms. Barbara Hendrix, Inspector to inspect the school and if in compliance to open the school and a license will be issued. Motion carried unanimously.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Linda Colley to delete rule 0440-1-.01 at the rulemaking hearing. Motion carried unanimously.

Deanna M. Schaub- Ms. Schaub is present today at the request of the Board. At the May 2008 board meeting her application for cosmetology instructor was submitted. She is currently license as a cosmetologist in Florida and Colorado. She has submitted documentation that she was employed by Aveda Institute Denver and taught cosmetology and also employed at Regency Beauty Institute in Colorado and taught cosmetology. Neither license was issued as a cosmetology instructor. Ms. Schaub has plans to become employed with Regency Beauty Institute in Nashville.

MOTION was made by Ms. Linda Colley and seconded by Ms. June Huckleby to request Ms. Schaub take and pass the instructor examination to be licensed as an instructor in Tennessee. The board also informed Ms. Schaub she must attend the instructor seminar every two years starting next year. Motion carried unanimously.

ADMINISTRATIVE REPORT

Application for a new school of cosmetology "Remington College School of Cosmetology" was presented to the Board of Cosmetology at the May board meeting. The board voted to have the Board Member and Inspector for the area visit the facility for inspection. The Board and Inspector visited the facility May 27, 2008. The twenty (20) applications submitted did not have proof of age or education. Ms. Linda Colley, Board Member can provide additional information and a representative from the school is present.

Ms. Linda Colley stated Remington College School of Cosmetology is a beautiful school. Ms. Colley stated that when Ms. Hendrix and she inspected the school they did not have proof of age, enrollment agreements or proof of education in the files. The school representative stated that she does have that information now.

MOTION was made by Ms. June Huckleby and seconded by Ms. Nina Coppinger to request Ms. Linda Colley and Ms. Hendrix return to the school and if school is in compliance allow them to open. Motion carried unanimously.

Application for change of location for Genesis Career College of Lebanon. This building at the new location is in the process of being built but they have submitted the application for change of location early with the hope the Board will grant "temporary or conditional" approval letter which will help them in the approval process with their accrediting agency. They understand final approval for opening of the school would come after the new facility is built and inspected around the first of December 2008.

MOTION was made by Ms. Linda Colley and seconded Ms. June Huckleby to send "Temporary or Conditional" approval letter to Genesis Career College in Lebanon. Motion carried unanimously.

Ms. Beverly Waller, Executive Director presented the revised copy of the Franklin Academy school catalog with the correction "Each applicant must have proof of either a) Standard High School Diploma, or b) General Equivalency diploma (GED). Their previous statement in the school catalog included the statement "This documentation must be provided to the school prior to enrollment but no later than thirty (30) days after the start date. The board requested she contact the school for this correction.

Application for the esthetician examination from Lauren Marie Berryman and her request it to take the esthetician examination with the machine in an off position with the galvanic or high frequency current due to medical reasons. She has submitted a statement from her physician as to the reason for the request.

MOTION was made by Ms. Linda Colley and seconded by Ms. Nina Coppinger to allow Ms. Berryman to take the esthetician examination without the machine on. Motion carried unanimously.

Application for approval to take the manicurist examination from Anh Thi Bich Le was presented. She had previously placed an application for reciprocity but was advised she did not have the required hours of 600. She only had 400 hours and a certification from California where she was currently licensed. She visited the office March 25, 2008 and Ms. Waller discussed this with her and advised her that if she only has 400 hours in the curriculum and no five year work history the board would require her to complete additional hours. On May 19, 2008 Ms. Waller received an application for examination and a certification from the State of Connecticut showing she has completed 200 hours beginning January 5, 2008 thru February 25, 2008. Ms. Waller stated her question to the

board is why she did not tell her she had the 200 hours when she placed the application for reciprocity on March 25, 2008. At that time she did not make me aware that she had any other hours other than the hours she completed in California, which were 400 hours.

MOTION was made by Ms. Linda Colley and seconded by Ms. June Huckleby to request Ms. Anh Thi Bich Le appear before the board at the next meeting. Motion carried unanimously.

Application for reciprocity from Claudia Guillen Blanco from The Republic of EL Salvador was presented. Her educational documents states she completed 2,000 hours but Ms. Waller is uncertain if those hours were apprenticeship because the documents refers to Marlene Beauty Salon, but doesn't state she passed the courses of cosmetology.

MOTION was made by Ms. Muriel Smith and seconded by Ms. June Huckleby to request Ms. Claudi Guillen Blanco appear before the board at the next meeting. Motion carried unanimously.

Application for reciprocity of aesthetician license from Firdous Islam from Georgia was presented. Certification from the Georgia State Board states she completed 320 hours in the esthetics curriculum. Georgia requires 750 hours of instruction in the esthetics curriculum. Ms. Waller stated she is not sure if Georgia State Board gave her credit for hours obtained out of the country and Ms. Waller stated she was not able to notify Ms. Islam to ask.

MOTION was made by Ms. June Huckleby and seconded by Ms. Linda Colley to request Ms. Waller send Ms. Islam a letter requesting more information. Motion carried unanimously.

Application for reciprocity of aesthetician license from Karlien Davis from South Africa was presented. Education documents state she completed 2,600 classroom hours; 166 hours completed case studies and 200 hours completed in a salon set-up. She also completed 1,200 hours and received a diploma in Therapeutic Aromatherapy.

MOTION was made by Ms. June Huckleby and seconded by Ms. Muriel Smith to present Ms. Davis's request for reciprocity of her aesthetician license at the next board meeting. Motion carried unanimously.

Application for reciprocity from Aida Sayaryan from Russia was presented. Educational documents show she completed 404 hours in theory and 1,332 practical hours totaling 1,736 at a school in Russia in 2002-2003. Also a letter of reference from a former employer in Russia stating she worked form August 2003 to January 2008 was submitted.

MOTION was made by Ms. Linda Colley and seconded by Ms. Nina Coppinger to request Ms. Sayaryan take and pass the cosmetology examination to become licensed in the State of Tennessee. Motion carried unanimously.

Application for reciprocity of cosmetology license from Kara Lannette Wirth was presented. Certification from Florida verifies she completed 1,200 hours of instruction in the cosmetology curriculum. Ms Waller sent her a letter advising that with no five (5) year work history she would need to complete additional hours and pass the state board cosmetology examination to qualify for a cosmetology license in Tennessee. She sent Ms. Waller an email requesting her application to be brought before the board and she would like to challenge the board to be approved to take the cosmetology examination. She states in her letter that she has been licensed for 13 years but has not worked continuously but has actively worked for the last 2 years.

MOTION was made by Ms. June Huckleby and seconded by Ms. Muriel Smith that the boards decision to complete the remaining hours and take and pass the cosmetology examination to become licensed in the State of Tennessee stands. Motion carried unanimously.

Application for reciprocity from Erin A. Moore from California was presented. Certification from California verifies she completed 600 hours of instruction in the esthetics curriculum and obtained her license August 10, 2006, so she has no five (5) year work history. She also sent certificates showing she completed additional training in several skincare techniques.

MOTION was made by Ms. Linda Colley and seconded by Ms. Pearl Walker to return to school for the remaining 150 hours in esthetics, then take and pass the aesthetician examination to become licensed in the State of Tennessee. Motion carried unanimously.

Application for reciprocity from Michelle Diane Daake from Florida was presented. Certification from the Florida State Board verifies she is a licensed cosmetologist and initial date of licensing as May 18, 2007. No certification as an aesthetician. Certificate from Paul Mitchell the School Orlando states she completed the 450 skin care program in 2007. Florida only requires 260 for esthetics.

MOTION was made by Ms. Linda Colley and seconded by Ms. Pearl Walker that if Ms. Daake is requesting cosmetology license she return to school for the additional 1,500 hours then take and pass the cosmetology examination to become licensed in the State of Tennessee. If she is requesting an aesthetician license she will need to complete an additional 300 hours then take and pass the aesthetician examination to become licensed in the State of Tennessee. Motion carried unanimously.

Ms. Carol Kathleen Allison is present. This application for reciprocity of cosmetology license from Carol Kathleen Allison was previously presented and with only 1,200 hours of instruction and no five (5) year work history. She had explained why she

could not submit the full five (5) year work history. The Board voted to require her to take the cosmetology examination and Ms. Waller was asked to present the application again to the board for consideration.

MOTION was made by Ms. Linda Colley and seconded by Ms. Pearl Walker to grant Ms. Allison reciprocity of her cosmetology license. Motion carried unanimously.

A request for extension from the 2007 cosmetology instructor seminar from Denisia Michelle Downs was presented. Ms. Downs states in her letter she did not attend the seminar due to a mix up in changing of her address and she did not receive notification of the seminars. The letter she presented blames the board office for the address problem and not receiving notification of seminars. She has received a notice of the seminar in Memphis and would like to attend this year.

MOTION was made by Ms. Muriel Smith and seconded by Ms. Nina Coppinger to deny the request for an extension. Motion carried unanimously.

A request to purchase license after the required period of six (6) months of passing the examinations was presented. The applicant stated she is incarcerated and was not aware she must purchase her license six (6) months after passing the examination. She passed the theory examination June 25, 2007 and the practical July 4, 2007. Ten (10) months has lapsed and she would like the board to approve her request to become licensed.

MOTION was made by Ms. Muriel Smith and seconded by Ms. June Huckleby to allow the applicant to purchase her license. Motion carried unanimously.

A request to be approved to take the Cosmetology Instructor examination from Barbara Herta Miller was presented. Ms. Miller obtained reciprocity of her cosmetology license in Tennessee from Texas. She enrolled in the cosmetology instructor curriculum at Jenny Lea Academy in Johnson City, Tennessee. She has completed the curriculum but she does not have a high school diploma. She states in her letter in Germany where she is originally from there are only eight (8) years of required public school and after the eight (8) years they choose either to attend an apprentice school or to attend a middle school for further education. Ms. Miller chose to attend an apprentice school and became a beautician.

MOTION was made by Ms. Linda Colley and seconded by Ms. Muriel Smith to make an exception to allow Ms. Miller to take her cosmetology instructor examination. Ms. June Huckleby stated that the school would need to be sent a letter informing them of the requirements for education information from the students. Motion carried unanimously.

Application for reciprocity of cosmetology license from Jung Hyun Cho from South Korea was presented at the March board meeting and the board had requested a five (5) year work history. She has submitted a five year work history as a hair designer

in South Korea covering March 1998 to May 2003 at Ron Hair Salon and May 2003 to May 2005 at Muse Hair Salon. It is not recent, but it covers the time period she worked prior to coming to United States and she has no work history as a cosmetologist since coming to the United States. Need the board approval since it is not recent.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Pearl Walker to request Ms. Cho to take the cosmetology examination and pass to become licensed in the State of Tennessee. Motion carried unanimously.

An application for a new school of cosmetology was received on Friday. The schools name is Vatterott Career College located at 6991 ApplingFarms Parkway, Memphis, TN.

MOTION was made by Ms. Linda Colley and seconded by Ms. Nina Coppinger to send Ms. Pearl Walker, Board Member and Mr. Jerry Biddle, Inspector to inspect the school and if in compliance allow them to open the school. Motion carried unanimously.

Consent orders totaled \$14,000.00.

All Star Nails
2842 Appalachian Hwy
Jacksboro, TN 37757

Violation issued March 13, 2008
Pd \$1,000.00 on 5-14-08

Diane's House of Beauty
1464 New Hope Road
Manchester, TN 37355

Violation issued February 22, 2008
Pd \$1,000.00 on 5-14-08

Le Nail Spa
19798 Alberta Street
Oneida, TN 37841

Violation issued April 3, 2008
Pd \$2,000.00 on 5-21-08

Nail and Day Spa
2812 South Rutherford Blvd.
Murfreesboro, TN 37127

Violation issued March 7, 2008
Pd \$1,000.00 on 5-07-08

Nail Volution
845 Hamilton Church Crossing
Antioch, TN 37013

Violation issued March 5, 2008
Pd \$ 1,250.00 on 5-02-08

Q-Nails
741 Dolly Parton Pkwy.
Suite #4

Sevierville, TN 37862

Violation issued February 14, 2008
Pd \$2,000.00 on 5-07-08

Reno's
110 21st Avenue North
Nashville, TN 37203

Violation issued February 6, 2008
Pd \$2,000.00 on 5-02-08

Tangles Hair Salon
4140 Carothers Pkwy
Franklin, TN 37067

Violation issued March 4, 2008
Pd \$500.00 on 5-14-08

T Nails
219 Mose Drive
Sparta, TN 38583

Violation issued March 12, 2008
Pd \$750.00 on 5-07-08

T Nails
11463 Old Nashville Hwy
Smyrna, TN 37167

Violation issued February 8, 2008
Pd \$1,000.00 on 5-02-08

3 Dimension Hair Salon
121 21st Avenue N.
Suite 105
Nashville, TN 37203

Violation issued December 12, 2007
Pd \$1,000.00 on 5-07-08

VIP Nails Spa
901 Rock Springs Road #120
Smyrna, TN 37167

Violation issued March 5, 2008
Pd \$500.00 on 5-21-08

MOTION was made by Ms. Linda Colley and seconded by Ms. Muriel Smith to accept the consent orders. Motion carried unanimously.

STAFF ATTORNEY REPORT

Ms. Kathryn Wiseman, Staff Attorney stated she has no staff attorney report this month. Ms. Wiseman informed the board that Mr. Terrance Bond; Staff Attorney will be present at the next board meeting.

MOTION was made by Ms. Muriel Smith and seconded by Ms. June Huckleby to adjourn the meeting. Motion carried unanimously.

